



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Callaway et al.

Serial No.: 10/775,363

Filed: February 10, 2004

For: APPARATUS AND METHOD FOR
DYNAMICALLY REPAIRING A
SEMICONDUCTOR MEMORY

Confirmation No.: 1204

Examiner: T. Nguyen

Group Art Unit: 2824

Attorney Docket No.: 2269-5214.1US
(01-1016.01/US)

Notice of Allowance Mailed:

July 29, 2004

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EL994830658US

Date of Deposit with USPS: October 26, 2004

Person making Deposit: Christopher Haughton

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1,685.00 in payment therefor plus five (5) copies of the patent when issued.

Also enclosed are Comments on Statement of Reasons for Allowance; and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees.

Applicants understand that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



Jeff M. Michelsen
Registration No. 50,978
Attorney for Applicants
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: October 26, 2004

JMM/dlm:rmh

Enclosures: Part B - Issue Fee Transmittal

Check No. 21033 in the amount of \$1,685.00

Copy of Transmittal Letter

Comments on Statement of Reasons for Allowance (2 pages)

Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)

Document in ProLaw



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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed July 29, 2004. The purpose of this communication is to set forth Applicants' comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

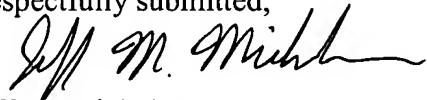
In allowing independent claim 1, the Examiner indicates that the prior art of record fail to disclose a method of testing a memory for faults comprising the elements and limitations as recited in claim 1. In allowing independent claim 11, the Examiner indicates that the prior art of record fail to disclose a method for dynamically testing and repairing a memory comprising the

elements and limitations as recited in claim 11. In addition, the Examiner indicates that claims 2-10 are allowable because of their dependency on claim 1, and claims 12-14 are allowable because of their dependency on claim 11.

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, and are exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are not reflected in the Statements of Allowable Subject Matter. Such additional features and elements, in combination with those of the independent claims, from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



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Date: October 26, 2004
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